

Oaths Act 1867

STATUTORY DECLARATION

QUEENSLAND

TO WIT

I, Carol Anne PERRETT, of 111 George Street Brisbane in the State of Queensland, do solemnly and sincerely declare that:

1. I have received a Requirement to Give a Written Statement issued pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* dated 30 August 2013 in respect of the Queensland Racing Commission of Inquiry (the Requirement).
2. This declaration has been provided with restricted time to properly access relevant email communications and other departmental files provided by Crown Law. Accordingly the matters I have deposed to herein are derived from my own recollection, aided by the contents of Attachments 1, 2 and 3 provided by the Commission, and the documents I have been able to review in the time allowed.

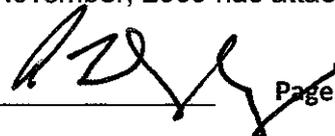
**A. The origins and source of the matters listed in Attachment 2, in particular but not limited to “imbalance in the industry – weakness of country racing”, “governance further rebalance power in favour of the professional management of the industry” and “amalgamate control bodies”, and the particular concerns to which each item relates.**

3. The handwriting on the top of Attachment 2, “D-G’s feedback on original CBRC submission 13/10/09” is my handwriting. Peter Henneken was the Director-General of the Department of Employment, Economic Development and Innovation in 2009 until Ian Fletcher was appointed as the Director-General. The Executive Director, Office of Racing (Mike Kelly) reported to the Deputy Director-General, David Ford who had responsibility for Liquor, Gaming and Racing. If David Ford was on leave, Mike Sarquis acted in his position. I do not recall attending any meetings with Peter Henneken or Ian Fletcher or having any direct contact with them at any time.
4. While I have no independent recollection, I have located an email dated 13 October 2009 from the Director-General, Peter Henneken to Mike Kelly and Mike Sarquis attaching Attachment 2 (**Attachment “CP1”**).
5. I do not know the origins of the matters that the Director-General required to be addressed in the draft CBRC submission, however, I do note that country racing issues are outlined at pages 46 to 49 of the ‘Queensland Racing Industry Issues Paper’ dated May 2009 and this document is referred to throughout Attachments 1 and 3 provided by the Commission.
6. I do not know the origins of the Director-General’s comment, “amalgamate the control bodies”. I note that a document entitled, “QRL Constitution, The Case for Change” provided to government by Queensland Racing Limited contained an argument to integrate the three codes of racing. An email dated 6 November, 2009 has attached

Signature



Witness Signature



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to it a version of that document. I do not recollect specifically my involvement with the document . (**Attachment "CP2"**).

**B. In describing item 1 above, whether or not the sale or redevelopment of Albion Park Paceway was being considered by the Government and/or a control body representative at that time**

7. As stated in paragraphs 21 and 39 of Attachment 3 provided by the Commission, the Albion Park Raceway, was transferred to the joint ownership of the greyhound and harness control bodies in July 2003.
8. I recall that for many years the harness and greyhound control bodies were in disagreement as to whether Albion Park should have been sold or redeveloped. The harness control body wanted it redeveloped and the greyhound control body wanted to sell it and use the proceeds of sale to build a greyhound racing venue elsewhere. Agreement could not be reached to sell or redevelop the Albion Park Raceway. See paragraph 41 of Attachment 3 provided by the Commission. A considerable number of documents relating to this issue would be on departmental files.
9. I have located a file note in my Day Book numbered 9 provided by Crown Law on page numbered 56 of 70 (**Attachment "CP3"**). While I do not have an independent recollection of the conversation, the file note is dated 16 October 2009 and records details of a telephone conversation with Ms Kerry Watson in which she advised that the harness control body had requested a meeting to discuss a proposal to buy out the greyhound control body's 50% share of Albion Park for \$10.5 million and she indicated that the offer would be rejected.
10. Racing Queensland developed an Industry Infrastructure Plan (IIP) which was released on 7 December 2010. The IIP included a proposal for the sale of the Albion Park Raceway. I have not been able to access records of this but my recollection is that a draft submission was prepared for Cabinet's consideration but it did not proceed as a result of an article published in the Courier Mail and a subsequent Crime and Misconduct Commission Investigation.

**C. Discussions held with the Minister for Tourism and Fair Trading, including the Minister's staff, prior to and immediately after the drafting of Attachment 2.**

11. I have no specific and independent recollection of discussions held with the Minister for Tourism and Fair Trading, including the Minister's staff, prior to and immediately after the drafting of Attachment 2, however I have located numerous emails that are relevant to this matter. Attached is a bundle of emails dated 14 October 2009 to 27 October 2009 that speak for themselves and include:
  - emails attaching various versions of the draft CBRC submission to Louise Foley, Minister Lawlor's advisor and Lachlan Smith, the Treasurer's advisor, Claire Maconachie, David Ford and Mike Sarquis's executive officer, Justin Murphy and Nicholas Lindsay in the Department of Premier and Cabinet, Samuel Blake in Treasury Department;

Signature



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- feedback from the Director-General, Peter Henneken for inclusion in the draft CBRC submission; and
  - feedback from the Department of Premier and Cabinet for inclusion in the draft CBRC submission
  - requests to provide information to enable feedback to be addressed in the draft CBRC submission (**Attachment "CP4"**).
12. I have located a file note in my Day Book numbered 7 on pages 6 to 12 of 92 in which I have taken detailed notes of a meeting on 28 October 2009 (**Attachment "CP5"**). While I do not have a specific and independent recollection of this meeting, my notes state that the attendees at the meeting included Louise Foley (Senior Advisor to Minister Lawlor), David Ford (Deputy Director-General) and the Treasurer. My role at the meeting would have been to take notes so that I could then make the relevant changes to the draft CBRC submission. I would have attended this meeting as Mike Kelly was on leave at the time.
13. My notes of the meeting on 28 October 2009 record feedback provided on specific numbered paragraphs of a CBRC submission which is a different version of the submission to that marked Attachment 3. The feedback appears to correspond to the numbered paragraphs in the submission attached to my email dated 26 October 2009 to Lachlan Smith copied to David Ford and Louise Foley (**Attachment "CP6"**).
14. Attached is a bundle of emails dated 28 October 2009 to 4 November 2009 that speak for themselves and includes requests to provide information in relation to the feedback provided at the meeting on 28 October 2009, responses to requests for information, feedback from various persons including Peter Henneken, Alex Beavers from Treasury Department and Lachlan Smith and various updated versions of the draft CBRC submission (**Attachment "CP7"**).
15. The latest version of the draft CBRC submission that I located in the electronic documents provided by Crown Law on 5 September 2013 is dated November 2009. (**Attachment "CP8"**).
16. It is usual for many different versions of a CBRC or Cabinet submission to be developed as feedback from various sources is provided and incorporated. For example, a number of officers in the Office of Racing would review the submission on a number of occasions, the Deputy Director-General, the Director-General and the Minister's office would provide feedback. Consultation was undertaken with other government departments and always with the Department of Premier and Cabinet and Treasury Department. Relevant feedback would be incorporated into the various versions of the draft submission.

**D. Discussions held between the Director-General and Office of Racing staff with the Minister and/or Treasurer (including staff) to endorse and progress the two Options 3s on top and bottom of page 2 of Attachment 3**

Signature 

Witness Signature 

17. I do not recall having any discussions with the Director-General or Minister to endorse and progress the two Options 3 on top and bottom of page 2 of Attachment 3. However, as stated in paragraph 12, my Day Book numbered 7 provided by Crown Law (pages numbered 6 to 12 of 92 pages) contains notes of a meeting on 28 October 2009. My notes state that the attendees at the meeting included Louise Foley (Senior Advisor to Minister Lawlor), David Ford (Deputy Director-General) and the Treasurer.

18. By email dated 30 October, 2009 David Ford sent the draft CBRC submission incorporating the comments from the Treasurer to Gerard Bradley, Alex Beavers, Peter Henneken and copied it to Louise Foley and me (**Attachment "CP 9"**)

**E. When a direction was first received by the department to commence drafting an Authority to Prepare submission to cabinet for the Racing and Other Legislation Amendment.**

19. I do not know when the department first received a direction to commence drafting the Authority to Prepare Submission to Cabinet. While I have no specific and independent recollection of being asked to draft an Authority to Prepare submission, I have located an email to me dated 27 November 2009 from Nicholas Lindsay in the Department of Premier and Cabinet and my response (**Attachment "CP10"**) I do not recall specifically being directed to commence work on the draft Cabinet Submission, however, I expect either Mike Kelly or David Ford would have given me such a direction.

**AND** I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

**DECLARED AND SIGNED at Brisbane**

this 16th day of September, 2013



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Before me:-



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 Witness